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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that it is an important  
2 priority to encourage beekeeping operations of all sizes  
3 throughout the State to ensure the continued viability of  
4 honeybee stocks both in managed apiaries and in the wild.  
5 Honeybees are a primary pollinator of food crops essential for  
6 many agricultural and horticultural operations. However,  
7 honeybee populations are declining at a rapid rate due to  
8 disease and predators. Varroa mites, small hive beetles, and  
9 nosema have decimated honeybee populations throughout Hawaii and  
10 the mainland United States.

11       The legislature further finds that the best way to make  
12 beekeeping an attractive proposition in Hawaii is to make it  
13 easier and financially viable for beekeepers to legally extract,  
14 bottle, and sell honey by minimizing the administrative and  
15 bureaucratic requirements in ways that will not affect public  
16 safety. Honey is antiseptic, antibiotic, antifungal, and  
17 antibacterial -- it never spoils and does not host harmful  
18 bacteria. There is a well-priced market for raw, local



1 artisanal honey in Hawaii, and beekeepers will overcome today's  
2 difficult environmental obstacles to farming bees if they can  
3 successfully sell their honey.

4 Most small beekeepers cannot successfully navigate the  
5 current regulatory hurdles required to operate a certified food-  
6 processing establishment on their own premises for the  
7 extraction and bottling of honey. Currently, if located in  
8 remote areas without chlorinated county water, beekeepers are  
9 required to carry the frames of honey away from their farms in  
10 bee boxes to an existing certified kitchen, a practice that can  
11 endanger healthy bees. Many have given up beekeeping, and  
12 others game the system by utilizing paper commissary agreements  
13 to fulfill the regulatory hurdle.

14 The purpose of this Act is to encourage beekeeping  
15 operations in the State by exempting home-based agricultural  
16 producers of honey from processing honey in a certified honey  
17 house and obtaining a permit; provided that certain requirements  
18 are met.

19 SECTION 2. Section 328-79, Hawaii Revised Statutes, is  
20 amended to read as follows:

21 "[+]§328-79[+] Home-based agricultural producer of honey;  
22 exemption. A home-based agricultural producer of honey shall



1 not be required to process honey in a certified honey house or  
2 food processing establishment, or be required to obtain a permit  
3 from the department [~~of health~~], if the producer:

4 (1) Sells less than [~~fifty~~] five hundred gallons of honey  
5 a year;

6 (2) Sells the honey directly to consumers [~~and~~] or  
7 directly to a retail store that in turn sells the  
8 honey directly to consumers;

9 (3) Labels each container of honey sold with:

10 (A) The name and address of the producer;

11 (B) The net weight and volume of the honey, by  
12 standard measure;

13 (C) The date the honey was produced; [~~and~~]

14 (D) The statement, "Honey should not be consumed by  
15 infants under one year of age." in clear and  
16 conspicuous print; and

17 [~~(D)~~] (E) The statement, "This product is home-  
18 produced and processed." in clear and conspicuous  
19 print [~~and~~],

20 (4) Attends a department of health approved food safety  
21 workshop and passes the food safety certification  
22 exam; and



1        (5) Keeps honey production volume and honey product  
2                distribution records for a period of at least two  
3                years and makes the records available to the  
4                department."

5        SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7        SECTION 4. This Act shall take effect upon its approval.  
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**Report Title:**

Agricultural Products; Honey

**Description:**

Clarifies the maximum number of gallons of honey that can be sold by a certified honey house or food processing establishment for an exemption from obtaining a permit from the department of health. Exempts from the permit requirement sales of honey directly to retail stores that in turn sell the honey directly to consumers. Requires honey producers to include certain wording on labels of each container of honey; take a Department of Health food safety workshop and pass an exam; and make records available to the Department of Health in order to be exempt from permit requirements. (SD1)

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